

of Centerville; Hayden Taylor of Solon; Kobe Simon of West Liberty; and Marcel Lopez of New London each won State championships last month in Des Moines.

Wrestling, we think, in Iowa, we are the center of the universe. When it comes to wrestling, we are, but we do give a nod to a certain Representative from Ohio. Wrestling and Dan Gable are as much a part of Iowa's unique history and culture as corn, first-in-the-Nation caucuses, Casey's Breakfast Pizza, and, of course, CHUCK GRASSLEY.

Before the pandemic, fans would cram into gyms across the State to watch our local teams compete. For the lucky few who made it to the State tournament, thousands would travel from all 99 counties to watch.

These young men and women have marked their place in Iowa history, and I could not be prouder to represent them in Congress.

PROVIDING IMMEDIATE RELIEF TO STRUGGLING AMERICANS

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, a year into this pandemic and the world is still reeling. It has created a deep economic crisis for American families and small businesses, and economic disparity continues.

Now that vaccines are being administered, with millions inoculated so far, hope for gaining the upper hand over this disease is on the horizon.

Last weekend, I saw firsthand the smiles on teachers' faces as they lined up for their first dose of the vaccine. Desperate to see their students, they hold out hope that these shots can get them safely back into the classroom for the first time in a year.

Food workers, those who we deem essential to putting food on America's dinner table every night, need to be vaccinated as well. I talked to them about their desire to do their jobs without fear of getting sick, and getting back to a life of normalcy, but we must do more to help Americans.

Our communities are hurting. Families, businesses, cities, and States need economic relief now.

This week, we will pass the American Rescue Plan to get immediate relief to struggling Americans. It provides the resources needed to help people get by and return to work. This bill will help our economy move again, and I am proud to support it.

□ 1230

HONORING THE OUTSTANDING WORK OF KELLY BRITTON AND KATHY CARUSO

(Ms. TENNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TENNEY. Mr. Speaker, today I rise to honor the outstanding work of Kelly Britton and Kathy Caruso, two residents of New York's 22nd Congressional District.

Kelly and Kathy founded and run Better Together, an advocacy group for children with special needs. As mothers with children with disabilities, Kelly and Kathy mobilized a grassroots group of parents and family members to advocate for children with differing abilities. Today, Better Together is bringing awareness to the many unmet needs that children with differing abilities experience.

I recently joined Better Together for their first advocacy event, an autism awareness and first responder forum. This wonderful collaborative event provided training and guidance to first responders on how to work effectively and compassionately to help patients with autism and other disabilities. It was a pleasure to join Kelly, Kathy, and the Better Together family to discuss their advocacy efforts and priorities.

Mr. Speaker, I thank Kelly and Kathy for giving back to our community in such a meaningful way. They truly are making the world a better place.

A YEAR AGO THE PANDEMIC CHANGED OUR COUNTRY

(Mr. BROWN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN. Mr. Speaker, a year ago, this pandemic changed our country; and during this year, more than 525,000 Americans have died from the virus, including 7,800 Marylanders. Too many jobs have been lost, too many families are struggling, and too many businesses have shuttered.

The American Rescue Plan provides a lifeline for our country. The average family of four in my district will receive approximately \$10,000 of direct assistance. With another round of stimulus checks and the expansion of the child tax credit, we will get families back on their feet and cut child poverty in half.

The American Recuse Plan will also aid our communities during this crisis, funding that will expand vaccinations, especially in Black and Brown communities; money to help safely open schools; and assistance to keep teachers, transit workers, and other public servants on the job.

This unprecedented crisis calls on us to meet the moment with decisive action. Mr. Speaker, the American Rescue Plan is that decisive action.

HONORING MAYOR RAWLEY MCCOY

(Mr. CLOUD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLOUD. Mr. Speaker, I rise today with a heavy heart to honor a

servant-hearted leader who cared deeply for the Victoria, Texas, community, Mayor Rawley McCoy, who passed away on March 5, 2021.

He will be greatly missed by his family, friends, and those he represented as mayor and those of us who had the honor to serve alongside him. A life-long Victorian, he described our town as a wholesome community that provided an energetic and joyful childhood.

Long before being elected mayor, he lived and worked to make our community a better place. He was inspired to become mayor and to make Victoria, as he said, the kind of place where future generations can live their American dream. I will miss working with him, as I appreciated his heart to work with and to collaborate in order to serve people.

Mr. Speaker, Rawley once said, "We can never become a great city until all of us can sit at and are welcome at the table."

My prayers are with him, his wife, their three children, and all who had the great pleasure of knowing Mayor Rawley McCoy.

RECOGNIZING INDIANA UNIVERSITY OF PENNSYLVANIA AND THEIR SAFETY, HEALTH, AND ENVIRONMENTAL APPLIED SCIENCES PROGRAM

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize Indiana University of Pennsylvania.

The University's Safety, Health, and Environmental Applied Sciences program recently received a national recognition. Universities.com ranked the program third in the Nation, giving IUP's program top marks in career preparation, students and culture, facilities, activities, and groups. More than 8,000 colleges and universities were considered in this ranking process.

Believed to be one of the first programs of its kind in the Nation, IUP's Safety, Health, and Environmental Applied Sciences program trains safety professionals in industry, government, and institutional settings. According to the department's chairwoman, Tracy Cekada, the program prepares students for work in a wide range of areas, including manufacturing, oil and gas, insurance, healthcare, construction, distribution, government, transportation, and the service industry.

Mr. Speaker, I am proud to have such a stellar academic institution in my district like Indiana University of Pennsylvania, and this top-notch program comes as no surprise.

Congratulations, IUP, for this well-deserved recognition.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 9, 2021.

Hon. NANCY PELOSI,
The Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 9, 2021, at 9:49 a.m.:

That the Senate passed with an amendment H.R. 1319.

With best wishes, I am,

Sincerely,

ROBERT F. REEVES,
Deputy Clerk.

PROTECTING THE RIGHT TO
ORGANIZE ACT OF 2021

Mr. SCOTT of Virginia. Mr. Speaker, pursuant to House Resolution 188, I call up the bill (H.R. 842) to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1959, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 188, the amendment printed in part A of House Report 117-10 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 842

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Protecting the Right to Organize Act of 2021”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—AMENDMENTS TO THE NATIONAL
LABOR RELATIONS ACT**

Sec. 101. Definitions.

Sec. 102. Reports.

Sec. 103. Appointment.

Sec. 104. Unfair labor practices.

Sec. 105. Representatives and elections.

Sec. 106. Damages for unfair labor practices.

Sec. 107. Enforcing compliance with orders of the board.

Sec. 108. Injunctions against unfair labor practices involving discharge or other serious economic harm.

Sec. 109. Penalties.

Sec. 110. Limitations on the right to strike.

Sec. 111. Fair share agreements permitted.

**TITLE II—AMENDMENTS TO THE LABOR
MANAGEMENT RELATIONS ACT, 1947 AND
THE LABOR-MANAGEMENT REPORTING
AND DISCLOSURE ACT OF 1959**

Sec. 201. Conforming amendments to the Labor Management Relations Act, 1947.

Sec. 202. Amendments to the Labor-Management Reporting and Disclosure Act of 1959.

TITLE III—OTHER MATTERS

Sec. 301. Severability.

Sec. 302. Authorization of appropriations.

Sec. 303. Rule of Construction.

**TITLE I—AMENDMENTS TO THE NATIONAL
LABOR RELATIONS ACT**

SEC. 101. DEFINITIONS.

(a) **JOINT EMPLOYER.**—Section 2(2) of the National Labor Relations Act (29 U.S.C. 152(2)) is amended by adding at the end the following: “Two or more persons shall be employers with respect to an employee if each such person co-determines or shares control over the employee’s essential terms and conditions of employment. In determining whether such control exists, the Board or a court of competent jurisdiction shall consider as relevant direct control and indirect control over such terms and conditions, reserved authority to control such terms and conditions, and control over such terms and conditions exercised by a person in fact: Provided, That nothing herein precludes a finding that indirect or reserved control standing alone can be sufficient given specific facts and circumstances.”.

(b) **EMPLOYEE.**—Section 2(3) of the National Labor Relations Act (29 U.S.C. 152(3)) is amended by adding at the end the following: “An individual performing any service shall be considered an employee (except as provided in the previous sentence) and not an independent contractor, unless—

“(A) the individual is free from control and direction in connection with the performance of the service, both under the contract for the performance of service and in fact;

“(B) the service is performed outside the usual course of the business of the employer; and

“(C) the individual is customarily engaged in an independently established trade, occupation, profession, or business of the same nature as that involved in the service performed.”.

(c) **SUPERVISOR.**—Section 2(11) of the National Labor Relations Act (29 U.S.C. 152(11)) is amended—

(1) by inserting “and for a majority of the individual’s worktime” after “interest of the employer”;

(2) by striking “assign,”; and

(3) by striking “or responsibly to direct them,”.

SEC. 102. REPORTS.

Section 3(c) of the National Labor Relations Act is amended—

(1) by striking “The Board” and inserting “(1) The Board”;

(2) by adding at the end the following:

“(2) Effective January 1, 2023, section 3003 of the Federal Reports Elimination and Sunset Act of 1995 (Public Law 166-44; 31 U.S.C. 1113 note) shall not apply with respect to reports required under this subsection.

“(3) Each report issued under this subsection shall—

“(A) include no less detail than reports issued by the Board prior to the termination of such reports under section 3003 of the Federal Reports Elimination and Sunset Act of 1995 (Public Law 166-44; 31 U.S.C. 1113 note);

“(B) list each case in which the Designated Agency Ethics Official provided advice regarding whether a Member should be recused from participating in a case or rulemaking; and

“(C) list each case in which the Designated Agency Ethics Official determined that a Member should be recused from participating in a case or rulemaking.”.

SEC. 103. APPOINTMENT.

Section 4(a) of the National Labor Relations Act (29 U.S.C. 154(a)) is amended by striking “, or for economic analysis”.

SEC. 104. UNFAIR LABOR PRACTICES.

Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking the period and inserting “;”;

(B) by adding at the end the following:

“(6) to promise, threaten, or take any action—

“(A) to permanently replace an employee who participates in a strike as defined by section 501(2) of the Labor Management Relations Act, 1947 (29 U.S.C. 142(2));

“(B) to discriminate against an employee who is working or has unconditionally offered to return to work for the employer because the employee supported or participated in such a strike; or

“(C) to lockout, suspend, or otherwise withhold employment from employees in order to influence the position of such employees or the representative of such employees in collective bargaining prior to a strike; and

“(7) to communicate or misrepresent to an employee under section 2(3) that such employee is excluded from the definition of employee under section 2(3).”.

(2) in subsection (b)—

(A) by striking paragraphs (4) and (7);

(B) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively;

(C) in paragraph (4), as so redesignated, by striking “affected,” and inserting “affected; and”;

(D) in paragraph (5), as so redesignated, by striking “; and” and inserting a period;

(3) in subsection (c), by striking the period at the end and inserting the following: “: Provided, That it shall be an unfair labor practice under subsection (a)(1) for any employer to require or coerce an employee to attend or participate in such employer’s campaign activities unrelated to the employee’s job duties, including activities that are subject to the requirements under section 203(b) of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 433(b)).”.

(4) in subsection (d)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively;

(B) by striking “For the purposes of this section” and inserting “(1) For purposes of this section”;

(C) by inserting “and to maintain current wages, hours, and terms and conditions of employment pending an agreement” after “arising thereunder”;

(D) by inserting “: Provided, That an employer’s duty to collectively bargain shall continue absent decertification of the labor organization following an election conducted pursuant to section 9” after “making of a concession.”;

(E) by inserting “further” before “, That where there is in effect”;

(F) by striking “The duties imposed” and inserting “(2) The duties imposed”;

(G) by striking “by paragraphs (2), (3), and (4)” and inserting “by subparagraphs (B), (C), and (D) of paragraph (1)”;

(H) by striking “section 8(d)(1)” and inserting “paragraph (1)(A)”;

(I) by striking “section 8(d)(3)” and inserting “paragraph (1)(C)” in each place it appears;

(J) by striking “section 8(d)(4)” and inserting “paragraph (1)(D)”;

(K) by adding at the end the following:

“(3) Whenever collective bargaining is for the purpose of establishing an initial collective bargaining agreement following certification or recognition of a labor organization, the following shall apply:

“(A) Not later than 10 days after receiving a written request for collective bargaining from an individual or labor organization that has been newly recognized or certified as a representative as defined in section 9(a), or within such further period as the parties agree upon, the parties shall meet and commence to bargain collectively and shall make every reasonable effort to conclude and sign a collective bargaining agreement.

“(B) If after the expiration of the 90-day period beginning on the date on which bargaining is commenced, or such additional period as the parties may agree upon, the parties have failed to reach an agreement, either party may notify